



State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Water Rights

KENT L. JONES
State Engineer/Division Director

October 10, 2013

PHIL PACE 435-425-3474
PO BOX 148
TORREY, UT 84775

RONNIE ALBRECHT 435-542-3223
PO BOX 61
HANKSVILLE, UT 84734

Dear Ronnie and Phil:

Becky Taft has indicated to me on more than one occasion that this current term will be her last season as the Lower Fremont Water Commissioner. With that being said, we need to initiate the process of hiring a new water Commissioner for (at least) the next four years, over the next few months.

Enclosed for your review are hiring procedure guidelines, a standard newspaper advertisement that will be used, and position description. Please look over the enclosed and provide any feedback prior to the end of October. I would like to advertise the position in November and conduct interviews in December or early January and have a decision made prior to our annual meeting in February. It may also be worthwhile to post the advertisement at post offices in Torrey and Hanksville. I am going to ask that applicants send their information to all three of us.

Becky will still need to deliver her annual report, and we may need to budget a small amount for her to act as a consultant for the first month or two to assist with training the new Water Commissioner.

I need you to update your current email and phone numbers, since that will be a much faster way to communicate during this process. If you need anything else in the meantime please contact me. Best way to reach me by email: mikesilva@utah.gov or call (801) 538-7430.

Sincerely,

Mike Silva
Distribution Engineer

Enclosure

cc: Kirk Forbush, Regional Engineer, Southern Regional office



SUMMARY OF ADMINISTRATIVE RULES PERTINENT TO HIRING WATER COMMISSIONERS

Selection Process

Public notice of the Commissioner position shall be advertised in a local newspaper.

Description of the qualifications, duties, and compensation

Published in a manner and for a duration determined by the State Engineer as reasonable and sufficient.

Application shall be submitted in writing to the two system co-chairmen and Division of Water Rights. (3 copies)

The application must include a summary of the applicant's qualifications and experience.

The interview panel shall consist of the Committee and the State Engineer.

The Committee shall recommend the candidate to the State Engineer.

The State Engineer may then appoint the recommended applicant as Commissioner.

The Committee for the Lower Fremont consists of the two Co- Chairs, one representing the Upper Part of the System and the other representing the lower part of the System

Lower Fremont River Distribution System

River Commissioner Job Description

GENERAL DUTIES

Performs technical and analytical work in regulating and distributing water. This includes monitoring, scheduling and data collection of water usage within the East Fork Virgin River Distribution System. Assures all water distribution is in agreement with applicable water rights, and State Engineer distribution orders. This is an appointed position and supervised by the Utah State Engineer.

1. MINIMUM QUALIFICATIONS:

- a. Education:
 - i. High School Diploma.
- b. Have demonstrated knowledge of:
 - i. Irrigation practices and technologies.
 - ii. The use and maintenance of water control and measurement equipment and devices.
 - iii. Water measurement units, calculations and conversions.
- c. Have a demonstrated ability to:
 - i. Work cooperatively with people to find appropriate solutions to challenges and /or resolve disputes.
 - ii. Communicate effectively verbally and in writing.
- d. Have the ability and willingness to learn:
 - i. Principles and terminology of Utah water rights law.
 - ii. Technology necessary for the effective regulation, distribution, measurement and reporting of water use in the Distribution System.

2. **SPECIAL QUALIFICATIONS:**

- a. Possess a valid Utah Drivers license.
- b. Be physically able to walk over uneven surfaces and rough terrain and lift objects weighing 50 pounds.
- c. Be available at all times necessary to fulfill the duties of River Commissioner.
- d. Be less than 75 years of age (according to Utah Division of Water Rights Administrative Rules).

3. **TERM OF EMPLOYMENT:**

- a. The River Commissioner is appointed for a term of four years in accordance with Subsection 73-5-1(1)(a) Utah Code Annotated and subject to an annual performance review by the distribution system committee and the Utah State Engineer.
- b. A river commissioner may serve successive terms without limit (up to age 75) at the discretion of the State Engineer and the Lower Fremont River Distribution System, Board of Directors.

EXAMPLE OF DUTIES

1. The River Commissioner regulates and distributes water and consults with the State Engineer and Distribution Boards to exchange information and receive direction. The River Commissioner assures all water distribution is in agreement with applicable water rights, and State Engineer distribution orders.
2. The River Commissioner measures and makes records of the measurements of the water delivered to each Distribution Account and any flows or volumes of water and reservoir water levels necessary for the proper regulation of water distribution in the Distribution System and any other flows or volumes of water and reservoir water levels as directed by the State Engineer.
3. The River Commissioner regularly inspects Distribution System facilities, including water measuring devices, head gates, and other water control structures, to ensure they are operating properly and accurately and are adequately maintained.
4. The River Commissioner performs or arranges for the performance of needed maintenance work.
5. If inadequacies are identified in the Distribution System facilities, which are outside the scope of the River Commissioner's designated duties, the River Commissioner notifies the responsible water user, the Distribution Committees Chairs and the State Engineer.



6. The River Commissioner makes the effort necessary to become proficient in the use and application of the new technology and engineering tools to improve the efficiency of water distribution. This includes entry of diversion data to the Division Website on a regular basis.
7. The River Commissioner maintains records and makes a written Distribution System Annual Report that is prepared and delivered each year to the State Engineer and the Distribution System Committee and local water users.
8. The River Commissioner provides the State Engineer an accounting of the water delivered to each water user as required for the calculation of Distribution Assessments.
9. The River Commissioner may adjust or close and lock a head gate and/or control structure to prevent changes in his control settings or direct the same.
10. The River Commissioner assists the State Engineer as necessary in any Division enforcement proceeding related to the Distribution System.
11. The River Commissioner completes and submits all necessary forms provided by the State Engineer for documentation of the expenses of the Distribution System.
12. The River Commissioner regularly attends distribution system meetings held in February or March each year, and provides a written report to water users.

